

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

NICHIA CORPORATION,

Plaintiff,

v.

SEOUL SEMICONDUCTOR CO.,LTD., et al.,

Defendants

No. C 06-0162 MMC

**ORDER GRANTING IN PART AND
DENYING IN PART DEFENDANTS'
ADMINISTRATIVE MOTION TO FILE
PORTIONS OF MOTION AND
DECLARATION UNDER SEAL;
DIRECTIONS TO CLERK; DIRECTIONS
TO DEFENDANTS; DIRECTIONS TO
PLAINTIFF**

Before the Court is defendants' "Administrative Motion to File Portions of Seoul Semiconductor Defendants' Motion for Claim Construction and for Summary Judgment and Supporting Declaration of Chi Soo Kim Under Seal," filed June 15, 2007. Having reviewed the motion and the declarations offered in support thereof, the Court rules as follows:

1. The motion is hereby GRANTED in part, and the Clerk is hereby DIRECTED to file under seal unredacted versions of the following two documents:

a. Defendants Seoul Semiconductor Co., Ltd. and Seoul Semiconductor, Inc.'s Motion for Claim Construction and for Summary Judgment; and

b. Declaration of Chi Soo Kim in Support of Seoul Semiconductor Defendants' Motion for Claim Construction and for Summary Judgment.


2. Because plaintiff has withdrawn its confidential designations or denied having designated as confidential five exhibits attached to the above-described Kim Declaration,

(see Julian Decl., filed July 6, 2007, ¶ 12), and has not responded to defendants' assertion that an additional exhibit, specifically, Exhibit P to the Kim Declaration, was designated as confidential by plaintiff, the motion is hereby DENIED as to such exhibits, and defendants are hereby DIRECTED to file in the public record, no later than July 30, 2007, Exhibits B, P, R, W, Z, and LL to the Kim Declaration. If defendants fail to timely file such exhibits in the public record, the Court will not consider them in ruling on defendants' motion for claim construction and for summary judgment.

3. Plaintiff has adequately shown that "portions" of seven exhibits that consist of excerpts from deposition testimony, specifically, Exhibits C, G, M, Q, S, T, and U, contain information that is confidential. (See id. ¶¶ 9, 10.) Plaintiff, however, has not shown that the entirety of those seven exhibits are confidential, and has failed to specifically identify the portions that are confidential. A party may not designate an entire document as confidential on the ground that "portions" of the document contain confidential information. See Civil L.R. 79-5(a) (providing request to file document under seal "must be narrowly tailored to seek sealing only of sealable material").¹ Accordingly, plaintiff is hereby DIRECTED to file in the public record, no later than July 30, 2007, redacted versions of Exs. C, G, M, Q, S, T, and U to the Kim Declaration. If plaintiff fails to timely file such redacted versions in the public record, the Court will direct the Clerk to file the entirety of such exhibits in the public record.

IT IS SO ORDERED.

Dated: July 25, 2007


 MAXINE M. CHESNEY
 United States District Judge

¹Defendants represent, and plaintiff has not disputed, that plaintiff designated the entirety of the six subject exhibits as confidential.